

FILED

JUN - 5 2006

 **ORIGINAL**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON
CLERK, U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT E.M. SOHNREY, aka Edward
B. Cook,

Defendant - Appellant.

No. 05-10355

CR 03-00533 DAE
D.C. No. ~~CR-03-00930-DAE~~
District of Hawaii,
Honolulu

ORDER

Before: B. FLETCHER, PREGERSON, and CANBY, Circuit Judges.

The renewed motion to submit on the briefs is denied. The mandate has not issued in *United States v. Evans-Martinez*, 05-10280. The parties should be prepared to argue the merits of the issue and any distinctions between this appeal and *Evans-Martinez*.

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CLERK, U.S. DISTRICT COURT

JUN 08 2006

DISTRICT OF HAWAII

SCANNED